

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
BORUCH LOWENBEIN,

STIPULATION OF DISMISSAL

Plaintiff

12-cv-02606-JG-RML

-against-

SAGE CAPITAL RECOVERY, LLC,

Defendant

-----X

Plaintiff, Boruch Lowenbein, hereby voluntarily dismisses this action against defendant, Sage Capital Recovery, LLC, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, with prejudice, and without costs, disbursements, or attorney's fees to either party as against the other.

An executed faxed copy of this Stipulation shall be deemed as a signed original.

This 13TH day of November 2012

/S/ Adam Jon Fishbein

For the plaintiff
Adam Jon Fishbein, ESQ
483 Chestnut Street
Cedarhurst, NY 11516

/S/ Scott E. Wortman

For the defendant
Scott Wortman, ESQ
MEL S. HARRIS & ASSOCIATES, LLC
5 Hanover Square, 8th Floor
New York, NY 10004